

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARISTA RECORDS LLC, a Delaware
limited liability company; BMG MUSIC, a
New York general partnership; CAPITOL
RECORDS, INC., a Delaware corporation;
ELEKTRA ENTERTAINMENT GROUP
INC., a Delaware corporation;
INTERSCOPE RECORDS, a California
general partnership; LAFACE RECORDS
LLC, a Delaware limited liability company;
MAVERICK RECORDING COMPANY, a
California joint venture; MOTOWN
RECORD COMPANY, L.P., a California
limited partnership; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; UMG RECORDINGS, INC., a
Delaware corporation; VIRGIN RECORDS
AMERICA, INC., a California corporation;
WARNER BROS. RECORDS INC., a
Delaware corporation; and ZOMBA
RECORDING LLC, a Delaware limited
liability company,

Plaintiffs,

vs.

DOES 1 - 5,

Defendants.

CIVIL ACTION No. _____

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiffs, ARISTA RECORDS LLC; BMG MUSIC; CAPITOL RECORDS, INC.;
ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE
RECORDS LLC; MAVERICK RECORDING COMPANY; MOTOWN RECORD COMPANY,
L.P.; SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN
RECORDS AMERICA, INC.; WARNER BROS. RECORDS INC.; and ZOMBA RECORDING

LLC, by their attorneys, for their complaint against Defendant 128.175.153.12 2007-08-31

06:36:56 Edt, allege as follows:

NATURE OF THE ACTION

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. §101 *et seq.*).

JURISDICTION AND VENUE

2. This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. Venue in this District is proper. See 28 U.S.C. §§ 1391(b), 1400(a). Although the true identity of each Defendant is unknown to Plaintiffs at this time, on information and belief, each Defendant may be found in this District and/or a substantial part of the acts of infringement complained of herein occurred in this District. On information and belief, personal jurisdiction in this District is proper because each Defendant, without consent or permission of the copyright owner, disseminated over the Internet copyrighted works owned and/or controlled by Plaintiffs. On information and belief, such illegal dissemination occurred in every jurisdiction in the United States, including this one. In addition, each Defendant contracted with an Internet Service Provider ("ISP") found in this District to provide each Defendant with the access to the Internet which facilitated Defendants' infringing activities.

PARTIES

4. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

5. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

6. Plaintiff Capitol Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

7. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

8. Plaintiff Interscope Records is a California general partnership, with its principal place of business in the State of California.

9. Plaintiff LaFace Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

10. Plaintiff Maverick Recording Company is a joint venture between SR/MDM Venture Inc. and Maverick Records LLC, organized and existing under the laws of the State of California, with its principal place of business in the State of California.

11. Plaintiff Motown Record Company, L.P. is a limited partnership duly organized and existing under the laws of the State of California, with its principal place of business in the State of California.

12. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

13. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

14. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

15. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

16. Plaintiff ZOMBA RECORDING LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

17. The true names and capacities of Defendants are unknown to Plaintiffs at this time. Each Defendant is known to Plaintiffs only by the Internet Protocol ("IP") address assigned to that Defendant by his or her ISP on the date and time of that Defendant's infringing activity. See Exhibit A. Plaintiffs believe that information obtained in discovery will lead to the identification of each Defendant's true name.

18. Although Plaintiffs do not know the true names of Defendants, each Defendant is alleged to have committed violations of the same law (e.g., copyright law), by committing the same acts (e.g., the downloading and distribution of copyrighted sound recordings owned by Plaintiffs), and by using the same means (e.g., a file-sharing network) that each Defendant accessed via the same ISP. Accordingly, Plaintiffs' right to relief arises out of the same series of transactions or occurrences, and there are questions of law or fact common to all Defendants such that joinder is warranted and appropriate here.

**COUNT I
INFRINGEMENT OF COPYRIGHTS**

19. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

20. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright law with respect to certain copyrighted sound recordings, including, but not limited to, all of the copyrighted sound recordings on Exhibit A to this Complaint (collectively, these copyrighted sound recordings shall be identified as the "Copyrighted Recordings"). Each of the Copyrighted Recordings is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights to each Plaintiff as specified on each page of Exhibit A.

21. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

22. Plaintiffs are informed and believe that each Defendant, without the permission or consent of Plaintiffs, has continuously used, and continues to use, an online media distribution system to download and/or distribute to the public certain of the Copyrighted Recordings. Exhibit A identifies on a Defendant-by-Defendant basis (one Defendant per page) the IP address with the date and time of capture and a list of copyrighted recordings that each Defendant has, without the permission or consent of Plaintiffs, downloaded and/or distributed to the public. Through his or her continuous and ongoing acts of downloading and/or distributing to the public the Copyrighted Recordings, each Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Each Defendant's actions constitute infringement of Plaintiffs'

copyrights and/or exclusive rights under copyright. (In addition to the sound recordings listed for each Defendant on Exhibit A, Plaintiffs are informed and believe that each Defendant has, without the permission or consent of Plaintiffs, continuously downloaded and/or distributed to the public additional sound recordings owned by or exclusively licensed to Plaintiffs or Plaintiffs' affiliate record labels, and Plaintiffs believe that such acts of infringement are ongoing. Exhibit A includes the currently-known total number of audio files being distributed by each Defendant.)

23. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by each Defendant.

24. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

25. As a result of each Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) against each Defendant for each infringement by that Defendant of each copyrighted recording. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

26. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting each Defendant

from further infringing Plaintiffs' copyrights, and ordering that each Defendant destroy all copies of copyrighted sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against each Defendant as follows:

1. For an injunction providing:

"Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings or to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

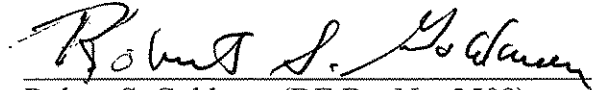
2. For statutory damages for each infringement of each Copyrighted

Recording pursuant to 17 U.S.C. § 504.

3. For Plaintiffs' costs in this action.
4. For Plaintiffs' reasonable attorneys' fees incurred herein.

5. For such other and further relief as the Court may deem just and proper.

DATED: November 28, 2007



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Attorneys for Plaintiffs ARISTA
RECORDS LLC; BMG MUSIC; CAPITOL
RECORDS, INC.; ELEKTRA
ENTERTAINMENT GROUP INC.;
INTERSCOPE RECORDS; LAFACE
RECORDS LLC; MAVERICK
RECORDING COMPANY; MOTOWN
RECORD COMPANY, L.P.; SONY BMG
MUSIC ENTERTAINMENT; UMG
RECORDINGS, INC.; VIRGIN RECORDS
AMERICA, INC.; WARNER BROS.
RECORDS INC.; and ZOMBA
RECORDING LLC

EXHIBIT A DOE LIST

Doe # 1	IP Address: 128.175.132.102 2007-10-04 21:50:08 EDT
Doe # 2	IP Address: 128.175.153.12 2007-08-31 06:36:56 EDT
Doe # 3	IP Address: 128.175.68.72 2007-10-06 16:07:12 EDT
Doe # 4	IP Address: 128.175.68.72 2007-10-07 20:25:59 EDT
Doe # 5	IP Address: 128.4.50.31 2007-09-10 20:42:00 EDT

EXHIBIT A**IP Address:** 128.175.132.102 2007-10-04 21:50:08 EDT**CASE ID#** 143852046**P2P Network:** GnutellaUS**Total Audio Files:** 128

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Jet	Cold Hard Bitch	Get Born	343-668
Capitol Records, Inc.	OK Go	Let It Rain	Oh No	377-392
Virgin Records America, Inc.	30 Seconds To Mars	The Kill	A Beautiful Lie	377-457
UMG Recordings, Inc.	Weezer	Perfect Situation	Make Believe	376-565
Zomba Recording LLC	Bowling for Soup	1985	A Hangover You Don't Deserve	361-081
SONY BMG MUSIC ENTERTAINMENT	Train	Train	Train	298-334
Virgin Records America, Inc.	Fountains of Wayne	Hey Julie	Welcome, Interstate Managers	335-616
UMG Recordings, Inc.	Blink-182	Feeling This	Blink-182	345-359
UMG Recordings, Inc.	Blink-182	First Date	Take Off Your Pants And Jacket	301-317
UMG Recordings, Inc.	Blue October	Hate Me	Foiled	388-117

EXHIBIT A**IP Address:** 128.175.153.12 2007-08-31 06:36:56 EDT**CASE ID#** 140767901**P2P Network:** GnutellaUS**Total Audio Files:** 251

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Wham	Wake Me Up Before You Go-Go	Wake Me Up Before You Go- Go (single)	57-557
SONY BMG MUSIC ENTERTAINMENT	Alice Cooper	Poison	Trash	107-959
Capitol Records, Inc.	Pink Floyd	Hey You	The Wall	14-787
LaFace Records LLC	Usher	My Way	My Way	257-730
Virgin Records America, Inc.	David Bowie	Young Americans	Young Americans	N22804
UMG Recordings, Inc.	Kanye West	Jesus Walks	College Dropout	347-391
Capitol Records, Inc.	Steve Miller Band	Jet Airliner	Book of Dreams	N42553
Arista Records LLC	Outkast	Roses	Speakerboxxx/Th e Love Below	340-520
UMG Recordings, Inc.	Mary J. Blige	Be Without You	The Breakthrough	384-873
Capitol Records, Inc.	David Bowie	Modern Love	Let's Dance	47-053

EXHIBIT A**IP Address:** 128.175.68.72 2007-10-06 16:07:12 EDT**CASE ID#** 144032910**P2P Network:** AresWareZUS**Total Audio Files:** 175

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Motown Record Company, L.P.	Boyz II Men	On Bended Knee	II	196-004
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	If	Destiny Fulfilled	363-786
Zomba Recording LLC	Ciara	And I	Goodies	355-316
Maverick Recording Company	Michelle Branch	Everywhere	The Spirit Room	303-732
UMG Recordings, Inc.	Young Jeezy	Soul Survivor	Let's Get It: Thug Motivation 101	375-159
BMG Music	Lonestar	I'm Already There	I'm Already There	298-550
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	A New Day Has Come	A New Day Has Come	311-366
UMG Recordings, Inc.	Vanessa Carlton	A Thousand Miles	A Thousand Miles (single)	306-656
Warner Bros. Records Inc.	Crime Mob	Knuck if You Buck	Knuck If You Buck (single)	364-439

EXHIBIT A**IP Address:** 128.175.68.72 2007-10-07 20:25:59 EDT**CASE ID#** 144162468**P2P Network:** GnutellaUS**Total Audio Files:** 80

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
BMG Music	Martina McBride	I Love You	Emotion	269-161
BMG Music	Tyrese	How You Gonna Act Like That	I Wanna Go There	322-486
BMG Music	Angie Stone	Brotha	Mahogany Soul	303-830
BMG Music	Tyrese	Nobody Else	Tyrese	237-788
BMG Music	Martina McBride	She's a Butterfly	Martina	333-553
UMG Recordings, Inc.	Brian McKnight	Anytime	Anytime	242-274
BMG Music	SWV	Right Here	It's About Time	146-905
Arista Records LLC	Monica	Angel of Mine	The Boy is Mine	263-982
Interscope Records	Sparkle	Be Careful	Sparkle	253-833
UMG Recordings, Inc.	Dru Hill	These Are The Times	Enter the Dru	290-402

EXHIBIT A**IP Address:** 128.4.50.31 2007-09-10 20:42:00 EDT**CASE ID#** 141785540**P2P Network:** GnutellaUS**Total Audio Files:** 205

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Trace Adkins	Honky Tonk Badonkadonk	Songs About Me	361-541
UMG Recordings, Inc.	Nelly Furtado	Do It	Loose	387-509
BMG Music	Kenny Chesney	Beer In Mexico	The Road and the Radio	383-449
BMG Music	Brooks & Dunn	Building Bridges	Hillbilly Deluxe	366-005
Warner Bros. Records Inc.	Faith Hill	The Way You Love Me	Breathe	276-629
Warner Bros. Records Inc.	Faith Hill	Like We Never Loved At All	Fireflies	374-377
SONY BMG MUSIC ENTERTAINMENT	Journey	Faithfully	Frontiers	43-223
SONY BMG MUSIC ENTERTAINMENT	Journey	Open Arms	Escape	30-088
Warner Bros. Records Inc.	Michael Buble	Save the Last Dance For Me	It's Time	370-205
UMG Recordings, Inc.	Jimmy Buffett	Margaritaville	Feeding Frenzy	124-218

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

ARISTA RECORDS LLC; BMG MUSIC; CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE RECORDS LLC; MAVERICK RECORDING COMPANY; MOTOWN RECORD COMPANY, L.P.; SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; WARNER BROS. RECORDS INC.; and ZOMBA RECORDING LLC

(b) County of Residence of First Listed Plaintiff New York County, NY

(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

DOES 1 - 5

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Robert S. Goldman
Lisa C. McLaughlin
Phillips, Goldman & Spence, P.A.
1200 North Broom Street
Wilmington, Delaware 19806

Telephone: 302-655-4200
Facsimile: 302-655-4210

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for

(For Diversity Cases Only)

Citizen of This State

PTF DEF

☐ 1 ☐ 1 Incorporated *or* Principal Place of Business In This State

Citizen of Another State

☐ 2 ☐ 2 Incorporated *and* Principal Place of Business In Another State

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3 Foreign Nation

PTF DEF

☐ 4 ☐ 4

☐ 5 ☐ 5

☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities—Employment <input type="checkbox"/> 446 Amer. w/Disabilities—Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

17 U.S.C. § 501 et seq.

Brief description of the cause: *copyright infringement*

VII. REQUESTED IN COMPLAINT

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

Statutory damages; injunction

CHECK YES only if demanded in complaint

JURY DEMAND:

☐ Yes ☒ No

VIII. RELATED CASE(S)

(See instructions)

IF ANY

JUDGE

DOCKET NUMBER

DATE

November 28, 2007

SIGNATURE OF ATTORNEY OF RECORD

Robert S. Goldman

FOR OFFICE USE ONLY

RECEIPT# _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

- 0 7 - 7 7 1

Civil Action No. _____

ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85

NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION

FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2007 NOV 28 AM 11:42



I HEREBY ACKNOWLEDGE RECEIPT OF 10 COPIES OF AO FORM 85.

11/28
(Date forms issued)

Lilly Van Dyk
(Signature of Party or their Representative)

Lilly Van Dyk
(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action